

INFORMATION ON PUBLIC SCHOOL CHOICE

The U.S. Department of Education has issued a policy letter to all states addressing public school choice under the *No Child Left Behind Act* (NCLB). Each local school district with Title I schools in Tier 1, Tier 2 or Tier 3 of NCLB consequences must offer public school choice to students enrolled in those schools. The information in the policy letter is in addition to the information in the non-regulatory guidance on public school choice that is available at <http://www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc>.

In implementing the public school choice requirement, a district may be able to provide transportation to all students under its existing transportation program without having to create new bus routes or incur other new transportation-related expenses. The district may count the portion of its transportation budget used to provide choice toward the school choice expenditure requirement. The portion counted toward the expenditure requirement is the cost that the district incurs in transporting students who meet the following criteria:

- The students' "home" Title I school has been identified for improvement;
- The students have chosen the option to transfer to another school under the Title I school choice option; and
- The students are using district transportation to attend the selected school.

The district calculates the amount of its transportation budget that it counts for school choice by determining the portion of children transported who meet the criteria listed above. For example, if 10% of the district's students who receive transportation meet the criteria, the district could count 10% of its transportation budget toward the expenditure requirement. The district should maintain clear records on how the calculation was done.

The full text of the policy letter on public school choice is available on the U.S. Department of Education website at <http://www.ed.gov/policy/elsec/guid/stateletters/choice/choice081804.html>. If you have further questions, please contact the Division of Federal Programs and Instructional Equity at (502) 564-3791.